IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7631 OF 2004

Uday Sahakari Dudh Vyavasaik
Sanstha Maryadit .. Petitioner
Vs.
The Assistant Registrar
(Dairy) Co-operative Societies,
Kolhapur & Ors. .. Respondents.

Mr.V.B.Rajure for the petitioner.
Mr.M.H.Solkar for respondent nos.1 to 4.
Mr.P.D.Dalvi for respondent no.5.

CORAM : D.B.BHOSALE, J.

DATED : 25TH FEBRUARY, 2005

P.C.:

. Heard Mr.Rajure, learned counsel for the petitioner, Mr.Solkar, learned A.G.P. for respondent nos.1 to 4 and Mr.Dalvi, learned counsel for respondent no.5.

2. Pending this petition, respondent no.5 - society came to be registered on 9.9.2004. In view thereof it is open for the petitioner to challenge registration of respondent no.5 - society by way of appeal before the appropriate forum. Mr.Dalvi, learned counsel for respondent no.5 fairly states that respondent no.5 - society will not raise an

issue of limitation. Keeping the submission made by the learned counsel appearing for the parties in view I am satisfied that the following order shall meet the ends of justice:

. Liberty to the petitioner to challenge registration of respondent no.5 - society within four weeks from today. The appellate authority to entertain the appeal without entering into an issue of limitation and decide the same on merits in accordance with law as expeditiously as possible and in any event within a period of three months from the date of its filing. All contentions are left open.

. The writ petition is, accordingly, disposed of.

(D.B.Bhosale, J.)